

REMARKS/ARGUMENTS

Claims 5-12 and 43-50 are pending in the present application. Claims 5-12 and 43-50 stand rejected. Claim 43 has been amended. No claims have been added or cancelled. Reconsideration of claims 5-12 and 43-50 in light of the present remarks is respectfully requested.

Rejections Under 35 U.S.C. § 102(e)

The Examiner has rejected claims 5-12 and 43-50 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,473,794 to Guheen et al. Applicants respectfully traverse the rejection.

Claim 5 is directed to a method for protecting a network server from being used as the basis of an attack on a network client. Among other elements, claim 5 requires “scanning said portion of said network server for particular characters, said particular characters being associated with said selected protocol.” As explained in the specification, in the context of reducing or eliminating undesirable executable code, data provided to the trusted portion of a Web site may be monitored for dangerous characters. In one example, scripting languages, such as JavaScript, are frequently encoded with script instructions placed between angle brackets (“<” and “>”). In this manner, a portion of the network server is scanned for “<” and “>” characters that are associated with the JavaScript protocol.

In rejecting claim 5, the Examiner states that “Guheen teaches various forms of monitoring and scanning, including scanning for particular characters (i.e. viruses) to locate intruders and attacks or merely scanning provider websites for updates, patches, reduced price offerings etc.” at columns 57-62 and figure 87. (See Office Action dated January 4, 2006, Pg. 3). Applicants respectfully disagree. Contrary to the Examiner’s position, Applicants respectfully disagree that columns 57-62 teach scanning said portion of said network server for particular characters, said particular characters being associated with said selected protocol. In fact, Applicants submit that the only disclosure related to security management is at column 57, line 44 – column 58, line 51. However, in these cited portions, Guheen only discloses that security management prevents the transfer of viruses by either defining access rights (See Col. 58, ln. 21) or isolating the development

environment by allowing internet access only via a dial-up connection on stand-alone machines. (See Col. 58, lns. 28-31). The cited excerpt fails to disclose, teach, or suggest a method for protecting a network server having the step of “scanning said portion of said network server for particular characters, said particular characters being associated with said selected protocol,” as required by claim 5.

Additionally, Applicants respectfully disagree that figure 87, and the associated disclosure, teaches the above-identified element. The associated disclosure discusses a user purchasing products and/or services through a website. When the user purchases the product and/or service, the user defines specific desires for support, including updates, patches, and reduced price offerings. In this manner, a search engine scans websites for these products and services. (See Col. 247, ln. 65 – Col. 248, ln. 12). The disclosure is not directed to protecting a network server. Instead, the disclosure is only directed to the purchase of a product and/or service and the monitoring of websites for support related to the product and/or service. As a result, the above cited excerpt fails to disclose, teach, or suggest a method for protecting a network server having the step of “scanning said portion of said network server for particular characters, said particular characters being associated with said selected protocol,” as required by claim 5.

In addition, the Examiner also asserts that “column 19, Product2 ISP Server Bundle” describes the above-recited element of claim 5. (See Office Action dated January 4, 2006, Pg. 5). Applicants respectfully disagree. The passage cited by the Examiner is directed to features of a software product called Business1. Specifically, Guheen, at column 19, Product2 ISP Server Bundle, describes the following feature of the Business1 software:

Targeted for internet service providers, Business1's Product2 ISP Server provides users with a bundle of platform extensions including the following:

- Internet Administrator -- provides secure, remote management of distributed ISP services

- Internet Services Monitor - monitors Internet services, identifies and manages network problems

- Directory Services -- provides a multi-protocol, global directory for storing information

- Host Configuration - provides ISP host configuration features including quick, repeatable installation, Product2 security configuration, intrusion detection, server process monitoring, and log file management.

Product4 SKIP -- provides encryption and key management capabilities which enables PCs, workstations, and servers to achieve secure/authenticated communication.

Contrary to the Examiner's assertion, the cited passage does not teach the step of scanning said portion of said network server for particular characters, said particular characters being associated with said selected protocol. Rather, the cited passage simply states that the Business1 software product provides users with a bundle of platform extensions. Among those platform extensions, Guheen discloses that the Business1 software provides an Internet Administrator, Directory Services, Host Configuration, and Product4 SKIP. Specifically, Guheen discloses only that the Internet Administrator provides secure and remote management of distributed ISP services; the Directory Services provides a multi-protocol global directory for storing information; the Host Configuration provides ISP host configuration features including quick, repeatable installation, security configuration, intrusion detection, server process monitoring, and log file management; and, the Product4 SKIP provides encryption and key management capabilities which enables PCs, workstations, and servers to achieve secure/authenticated communication. None of these above-described platform extensions discloses, teaches, or even remotely suggests "scanning said portion of said network server for particular characters, said particular characters being associated with said selected protocol," as required by claim 5.

In order to anticipate a claim, a single source must contain all the elements of the claim. *Hybritech Inc. v. Monoclonal Antibodies, Inc.*, 802 F.3d 1367, 1379, 231 U.S.P.Q. 81, 90 (Fed. Cir. 1986). Moreover, the single source must disclose all of the claimed elements "arranged as in the claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Under 35 U.S.C. § 102, missing elements may not be supplied by the knowledge of one skilled in the art of the disclosure of another reference. *Structural Rubber Prods. Co. v. Park Rubber Co.*, 749 F.2d 707, 716, 223 U.S.P.Q. 1264, 1271 (Fed. Cir. 1984).

As noted above, Guheen fails to disclose, teach, or suggest "scanning said portion of said network server for particular characters, said particular characters being associated with said selected protocol," as required by claim 5. As a result, Applicants respectfully submit that claim 5 is patentable over Guheen. Additionally, claims 6-12 depend from claim 5, and include all the

elements of claim 5. Therefore, Applicants respectfully submit that claims 6-12 are also patentable over Guheen.

Claim 43 is directed to a computer-implemented method for protecting a network server from being used as the basis for an attack on a network client. Similar to claim 5, among other elements, claim 43 requires “scanning a portion of said network server for particular characters associated with a protocol.” The Examiner states that step 2615 of figure 87 discloses the above-identified step. (See Office Action date January 4, 2006, Pg. 6). Applicants respectfully disagree.

In particular, step 2615 of figure 87 is directed to monitoring a user purchased product and/or service utilizing a user indicia. The user indicia is an identified level of support defined by the user. The support can be updates, patches, and reduced price offerings related to the purchased product and/or service. (See Col. 247, ln. 65 – Col. 248, ln. 12). As a result, the monitoring disclosed in step 2615 is directed to monitoring of websites for support related to the product and/or service purchased by the user. The monitoring is not remotely directed to protecting a network server from being used as a basis of an attack on a network client. In addition, the above cited excerpts fails to disclose, teach, or suggest a method for protecting a network server having the step of “scanning said portion of said network server for particular characters, said particular characters being associated with said selected protocol,” as required by claim 43.

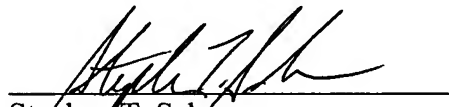
As noted above, Guheen fails to disclose, teach, or suggest “scanning a portion of said network server for particular characters associated with a protocol,” as required by claim 43. As a result, Applicants respectfully submit that claim 43 is patentable over Guheen. Additionally, claims 44-50 depend from claim 43, and include all the elements of claim 43. Therefore, Applicants respectfully submit that claims 44-50 are also patentable over Guheen.

CONCLUSION

In view of the foregoing remarks, Applicants respectfully submit that all of the claims in the Application are in allowable form and that the Application is in condition for allowance. If, however, any outstanding issues remain, Applicants respectfully urge the Examiner to telephone Applicants' undersigned attorney so that the same may be resolved and the Application expedited to issue. Applicants respectfully request the Examiner to indicate all claims as allowable and to pass the Application to issue.

Respectfully submitted,

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